

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 72407

Joyce A. Griggs  
Margaret Griggs

3837 Fernside Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on April 13, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-312; 13-7-201; 35-5-302, failure to clean the exterior grounds of all trash, junk and debris, failure to provide kids for trash containers on residential property zoned DR 5.5 known as 3837 Fernside Road, 21133.

On April 13, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,600.00 (three thousand six hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 16, 2010 for removal of trash and debris, store garbage in cans with tight lids, clean exterior grounds of loose trash, debris, paper, cups, bottles, window screen, tires etc. This Citation was issued on March 24, 2010.

B. Respondents failed to appear for this Hearing. Photographs in the file show bagged garbage piled on top of open garbage cans and piled on the ground. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310. All garbage must be stored in cans with tight lids. Photographs also show scattered trash, junk and debris including bicycle parts, a window screen on top of a bush, and trash and debris. Re-inspection on April 9, 2010 found some improvement, but photographs still show bagged garbage on top of an open garbage can, and a discarded window screen on top of a bush.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected by May 10, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 16<sup>th</sup> day of April 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf